IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.422 OF 2006

IN

S.C.SUIT NO.6678 OF 1998

WITH

CIVIL APPLICATION NO.511 OF 2006

Kunjumon Charuvil Koshy ...Appellant

Versus

Haji Munna Mustak Metal

Foundry & Ors. ...Respondents

.....

Mr.P.N.Kulkarni for Appellant.

Mr.Rajesh Singh for Respondents.

.....

CORAM: A.M.KHANWILKAR, J.

JUNE 29, 2006.

P.C.

1. Heard Counsel for the parties.

2. I am in agreement with the opinion expressed by the lower Court that for the frame of the suit and the nature of reliefs claimed, the

subject matter of the suit is obviously undervalued. It has to be far in excess of Rs.50,000/- (Rupees Fifty Thousand), which dispute in turn, will be outside the jurisdiction of the City Civil Court. Accordingly, this Appeal fails.

3. Order of returning plaint which is impugned in this Appeal is therefore confirmed.

Civil Application is also rejected.

A.M.KHANWILKAR, J.